

EXHIBIT “D”

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

PIONEER SERVICES, INC.,

Plaintiff,

v.,

AUTO-OWNERS INSURANCE
COMPANY, INC., et al.,

Defendants.

CIVIL ACTION NO.: 2:06-cv-377-WKW

STATE OF Alabama)

COUNTY OF Montgomery)

AFFIDAVIT OF TODD WORLEY

Before me, the undersigned authority, personally appeared Todd Worley, who being by me first duly sworn doth depose and says as follows, to wit:

My name is Todd Worley. I am over the age of 19 years and a resident of Montgomery, Alabama. I am Assistant Branch Claims Manager for Auto-Owners Insurance Company. I have personal knowledge of the facts contained in this affidavit.

Auto-Owners Insurance Company is unable to retrieve a list of claims by a designation for "water" claims. Auto-Owners has retrieved a list of claims by the designations for "lightning" and "wind" which Auto-Owners has obtained, and which lists claims designated lightning and wind for Covington County, Alabama for September, 2004. The list contains confidential and proprietary information including a listing of the names and addresses, nature and date of claims of policyholders.

Auto-Owners does not have a list of adjusters that performed services in Covington County, Alabama during August through November, 2004. To determine precisely what adjusters were used by Auto-Owners during the months of August through November, 2004 would require a review of hundreds of separate claims files by Auto-Owners personnel. During catastrophic loss situations such as Hurricane Ivan in September 2004 independent adjusters may be provided bulk assignments. On information and belief Plaintiff has been produced documents relating to Plaintiff's claim, and has elicited deposition testimony from persons who were Auto-Owners personnel at times relevant to Plaintiff's claim which identify adjustment services including, but not limited to, GAB Robins, Catastrophe Specialists and United Storm Adjusters which were believed to have possibly provided services to Auto-Owners in Covington County, Alabama following Hurricane Ivan. As stated above, to determine precisely all adjusters used by Auto-Owners in Covington County, Alabama, in August through November, 2004 would require the review of hundreds of separate claims files. I believe it would take in excess of 100 hours to retrieve, obtain and compile this information. The files that would have to be reviewed would include all those on the list retrieved for lightning and wind claims for September, 2004 and many more.

I hereby certify that the facts contained in the foregoing affidavit are true and correct.

A handwritten signature in black ink, appearing to read 'Todd Worley', is written over a horizontal line.

TODD WORLEY

STATE OF Alabama)

COUNTY OF Montgomery)

Sworn to and subscribed to before me this the 28th day of March, 2007.

Carolee Mitchell Adell

Notary Public

My Commission Expires: _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: May 28, 2008
BONDED THRU NOTARY PUBLIC UNDERWRITERS

(SEAL)

